

ELECTION BOARD INVESTIGATIVE COMMITTEE

DATE: September 12, 2007

CALLED TO ORDER: 6:29 p.m.

ADJOURNED: 7:07 p.m.

ATTENDANCE

ATTENDING MEMBERS

Jackie Nytes, Chair
Lonnell Conley
Susie Day
Ron Gibson
Robert Lutz
Cherrish Pryor
Ryan Vaughn

ABSENT MEMBERS

AGENDA

RE-PRECINCTING

INVESTIGATIVE ELECTION COMMITTEE

The Investigative Election Committee of the City-County Council met on Wednesday, September 12, 2007. Chair Jackie Nytes called the meeting to order at 6:29 p.m. with the following members present: Lonnell Conley, Susie Day, Ron Gibson, Bob Lutz, Cherrish Pryor and Ryan Vaughn. Mr. Bill Groth, consultant, was also in attendance.

Chair Nytes stated that several committee members asked for a progress report regarding the recommendations that were issued. One of recommendations is re-precincting, and the process is underway. She stated that election laws require the Mayor's office to change the precinct maps, and the committee cannot vote on these, but this committee does allow transparency to the public by discussing these changes.

Kobi Wright, City Attorney, Office of Corporation Counsel, distributed a handout, which is attached as Exhibit A. He said that this effort began with the Mayor in 2001, and he is clearly behind this. He introduced Brian Crist, Attorney, Ice Miller and Joel Miller, who worked on drawing precincts according to state law. He said this is a numbers driven process that can be very grueling. Mr. Wright stated that they had hoped to re-precinct this year, but the State Election Division will have to review and approve the new precinct maps. He said that the Mayor will formally present the report on Friday, September 14, 2007. Mr. Wright stated that Mike O'Connor, Chairman, Marion County Democratic Party (MCDP), has been working with other members of the community as well as the Marion County Republican Party to include them in the process. He said statute does not require MCDP to inform them, but obviously there has to be a bi-partisan process in order to move forward.

Mr. Crist stated that before the first precinct is drawn there are quite a few laws that must be respected in the way they are drawn. He said that the Indiana Code has two main statutory requirements with respect to precincts and they are:

- Precincts must comply with the Active Voter Cap = 1,200 active voters
Active voter is not the same as registered voter and the state has a formula for this.
- Respect the following boundaries
 - State, County and Township boundaries
 - United States House of Representatives Districts
 - State of Indiana House of Representatives Districts
 - State of Indiana Senate Districts
 - Cities and Towns boundaries
 - City-County Council Districts
 - Census Blocks

He said that Census Blocks may be the most important because the new precinct plan must be based on the electronic Geospatial Information Service (GIS) system which is an electronic mapping system that is based of United States Census Blocks.

He said that the US Census separates geographical areas into blocks that can be of several sizes and many people utilize this system.

Mr. Crist stated that to understand how the new map is created, you have to understand the history of the current maps. He said the old maps seem to be cobbled together over several years. He said that the last time a new map was created was in the early 1990's. It was submitted to the state, which eventually lost it. The current map predates the statutory requirements and does not comply. He said that it was logical to start with the old boundaries, because it allowed for combination of, or splitting of, districts to comply with the active voter cap. It allowed for less voter confusion, because polling locations won't change for most.

Mr. Crist stated that the final issue on the creation of the re-precincting plan is the most difficult because of the technical complexity in working with the electronic GIS system to draw maps. He said that Marion County did not go through re-precincting in 2001 because the state and county data did not match. He said this is significant because it could have allowed voters to cast ballots in districts where they do not live. He said that GIS software is good for drawing but not for compiling data and it required the numbers to be figured by hand and then input. He said future revisions will be easier because the state and the county will now be using the same data.

Mr. Crist discussed the Statistical Summary page and stated that according to state data, there are approximately 470,000 active voters in Marion County. He said that there are 917 precincts and under the proposal those precincts will be reduced to 590. He said that this increased the active voter per precinct from 510 to 796.

Councillor Gibson stated that Center and Washington townships have the highest number of active voters and precincts and asked if the lower number of precincts will be adequate. Mr. Crist stated that they have the highest number of precincts and would therefore be more affected. He said there is little change in the percentage change of precincts per twp. Councillor Gibson stated that the precincts will be cut dramatically. He asked how they can be sure to keep historical voting places. Mr. Crist said that the new map is based off of the current map, and we are able to make logical combinations. He said that for example, if there were two precincts that had 400 active voters each and happen to vote in the same place, it is an easy combination to make. Voters will still be voting in the same place and instead of having two inspectors, clerks and judges, there will be consolidated into one. Mr. Miller stated that there is also a significant number in Center and Washington Township that are already handling multiple precincts. He said that with most of these combinations, people will still be going to the same place and it will be with just one or two precincts with assistant clerks there. Councillor Gibson asked that if three precincts are voting in the same place, they would become one precinct versus having three. Mr. Crist stated that it would depend how the active voter numbers washed out.

Chair Nytes stated that there is the overriding factor of the boundaries that have to be respected. Mr. Wright said many people in the central city area walk to their polling places and that was kept as much as possible.

Chair Nytes asked for clarification regarding the net change in number of precincts. Mr. Crist stated that the population growth in the county has changed. Perry 6 map is large and holds the most active voters. It has been a problem to staff for several years and needed to be split. He said that there are several smaller precincts close to Perry 6. The change splits Perry 6 into four different precincts, but is combining the smaller precincts which allowed for a net decrease. He said Pike Township illustrates this also. He said that Franklin Township is interesting as well, because Franklin 11 is second highest and has geographical challenges. Mr. Crist stated that in the southern portion of Franklin Township some precincts had to be split, but they were combined in the north to have a net increase of one precinct. Chair Nytes asked if each map is in the handout. Mr. Crist answered in the negative.

Chair Lutz asked if it would be possible to receive copies of all maps not included in the handout. Mr. Wright answered in the affirmative.

Councillor Conley asked when re-precincting will become in effective. Mr. Crist stated that the new precincts will be effective for the start of the 2008 primary.

Councillor Pryor asked for explanation of the approval process. Mr. Crist stated that the significant deadline is Friday, September 14, 2007, to turn in a reprecincting plan to the State Election Board, and their staff will conduct the technical review. He said that when the review is complete, they will make recommendations to the State Election Board, a four-member panel, about the technical compliance of the new maps. The Election Board will make a ruling for the 2008 primary.

Councillor Vaughn asked to have the difference between re-precincting and redistricting explained. Mr. Crist stated that redistricting is a process where voters are moved into different districts so they are voting for new elected officials. He said that reprecincting does not do that. He said it is an electoral organizational system and this plan does not move any voter from their current districts, and they will still be voting for the same set of candidates. He said that it is advantageous to elected officials, because there are precincts that have to be covered on Election Day. He said that this is a mechanical process for elected officials and the voting process.

Chair Nytes stated that it is important for people to understand this does not change the districts of any elected official.

Mr. Crist said the benefit of the plan will decrease volunteers by 1,500 and save the county \$180,000 per election. Mr. Wright stated that those numbers were reached by Andy Mallon at the Election Board.

Chair Nytes said the potential savings could reduce levies, but it could also fund satellite voting centers. She said that a couple of months ago, there was a bipartisan presentation by both County Chairs indicating their commitment to help deliver a smooth election in November 2007. She stated that it is imperative that the plan goes forward to the state without partisan arguments and publicly wants to thank the Republican County Chair for his participation and helpful suggestions. Mr. Wright stated that he believes that bipartisan cooperation has and will continue during the process for satellite voting.

Chair Nytes reiterated that they cannot act on this but is pleased that the plan is going to the state.

Mr. Bill Groth stated that he appreciates the committee's input on the final report. The only unfinished business would be the recommendations to the Indiana General Assembly and asked that the committee draft a formal request to the members of the Assembly.

Councillor Gibson stated that he would like to see a resolution from the Council to signify stronger support.

There being no further business, and upon motion duly made, the meeting was adjourned at 7:07 p.m.

Respectfully Submitted,

Jackie Nytes, Chair

JN/lw